



State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 South King Street  
Honolulu, Hawaii 96814-2512

## HAWAII DEPARTMENT OF AGRICULTURE

### PLANT QUARANTINE INTERIM RULE 10-1

Restrictions on the Intrastate Movement of Coffee Plants, Plant Parts, Unroasted Seeds, and Used Coffee Bags on the Island of Hawaii,  
Except by Permit Issued by the Hawaii Department of Agriculture

Under authorization granted in Section 150-9.5, Hawaii Revised Statutes (HRS), the Hawaii Department of Agriculture (Department) hereby establishes this interim rule to impose a quarantine on the movement of coffee plants, plant parts, unroasted seeds, and used coffee bags out of: (1) a primary quarantine zone which is an area that extends from Naalehu, Ka`u to North Kona on the island of Hawaii bordered on the south from mile marker 62 on Highway 11 near Naalehu, Ka`u; and north to mile marker 29 on Mamalahoa Highway (Hwy 190) and mile marker 93 on Queen Kaahumanu Highway (Hwy 19); and (2) a secondary quarantine zone which consists of the entire island of Hawaii, other than the primary quarantine zone. These quarantine zones are established to prevent the spread of the recently discovered Coffee Berry Borer from areas infested by the Coffee Berry Borer to uninfested areas within the island of Hawaii and within the State.

Movement or transportation of coffee plants, plant parts, unroasted seeds (green beans), and used coffee bags from the quarantine zones described above, other than for direct export out of State, is prohibited except by permit issued by the Department for propagation, roasting, or research purposes.

Propagation: Coffee plants and plant parts, including seeds, for propagation, moving from the quarantine zones to uninfested areas of the State shall be under permit, treated with an approved pesticide treatment, and held under one year quarantine in an approved quarantine facility.

Roasting: Unroasted coffee seeds (green coffee beans) and used coffee bags for roasting, moving from the quarantine zones to uninfested areas of the State, shall be under permit and, prior to movement, shall be treated with an approved treatment and/or mitigative measures appropriate for organic or non-organic coffee, as specified by permit. Currently approved treatments include Methyl bromide, ProFume, heat treatment at 315 degrees Fahrenheit for at least 5 minutes, and an alternative mitigative measure for organic or non-organic coffee beans, as described below. For heat treatment, the unroasted green coffee beans must be removed from the coffee bag,



heat treated, contained in a different type of bag, and the original coffee bag sterilized or destroyed. Under a permit for roasting, unroasted green coffee beans and used coffee bags shall be held in a safeguarded area until the time of roasting. Used coffee bags that held unroasted coffee beans for roasting shall be slashed and discarded or shall be washed for next usage, as specified by permit.

As an alternative mitigative measure for organic or non-organic coffee, the six-part protocol described below is allowed for the movement of unroasted green coffee beans from the primary quarantine zone to the secondary quarantine zone and from the primary and secondary quarantine zones to uninfested areas of the State, provided that all six requirements are met: (1) movement is limited to a facility that is five miles away from a coffee-growing area; (2) unroasted green coffee beans that have already been graded and certified are double bagged in mylar or thick non-permeable plastic bags that are sealed and labeled to identify the unroasted seed as being from a specific quarantine zone; (3) unroasted green coffee beans from a quarantine zone are held and safeguarded from other unroasted green coffee in an area that can be easily disinfested, as specified in the permit, until roasting; (4) all packing material and bags that came in contact with the unroasted green coffee beans are treated or disposed of, as specified by permit, so as to prevent the spread of Coffee Berry Borer; (5) Department Plant Quarantine Branch (PQB) inspectors are allowed access to the holding/safeguarding area identified in the permit and to the roasting area to confirm compliance with permit conditions; (6) records of movement of unroasted green coffee beans under permit shall be available to PQB inspectors.

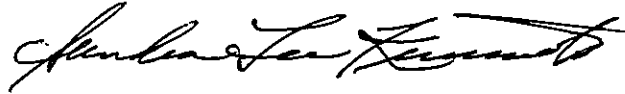
The PQB manager is authorized to: (1) approve other treatments and mitigative measures for unroasted green coffee beans as these measures are validated and may revise permit conditions accordingly, to make alternate mitigative measures available; and (2) modify approved mitigative measures, as necessary.

Research: Coffee Berry Borer, coffee plants, plants parts, unroasted seeds (green coffee beans), and used coffee bags for research purposes, moving from the quarantine zones to uninfested areas of the State, shall be under permit and safeguarded to an approved research facility.

Export: Coffee plants, plants parts, unroasted seeds (green coffee beans), and used coffee bags for export are not subject to quarantine restrictions, provided that they are exported directly from the primary quarantine zone without moving through the secondary quarantine zone, or are exported directly from the secondary quarantine zone without moving through the primary quarantine zone and, in either case, that they are not transshipped through another island in the State. Coffee plants, plants parts, unroasted seeds (green coffee beans), and used coffee bags for export that move from one quarantine zone to another or that are exported via transshipment through another island in the State must be double bagged in mylar or thick non-permeable plastic bags that are sealed and labeled to identify their contents as being from a specific quarantine zone.

Any person who violates this rule shall be guilty of a misdemeanor and fined not less than \$100. Notwithstanding the provisions of section 706-640, HRS, the maximum fine shall be \$10,000. For a second offense committed within five years of a prior offense, the person or organization shall be fined not less than \$500 and not more than \$25,000.

This interim rule is valid for no longer than one year from the date of issuance."

A handwritten signature in black ink, appearing to read "Sandra Lee Kunimoto", written in a cursive style.

SANDRA LEE KUNIMOTO  
Chairperson, Board of Agriculture

Effective: December 2, 2010